

SUBJECTS.

punishment was expunged from the law of all civilized countries. To Travancore the idea was not new, for the law had already exempted Brahmins and women from capital punishment. He prayed that the exemption might be made general.

Dewan's reply.—Noted.

40. Desirability of transferring the Thiruvancode *pakuthi* from the Colachel to the Eraniel Magistrate.

Mr. K. Mytheen Pillai (Member, Nominated) said that, in the redistribution of criminal jurisdiction, the Thiruvancode *pakuthi*, which was 9 miles away from Colachel, was transferred to that Magistrate, and the Thalakulam *pakuthi* very near Colachel shifted to the jurisdiction of the Eraniel Magistrate. Eraniel was $2\frac{1}{2}$ miles and Kalkulam 2 miles from Thiruvancode. In consequence, petty thefts were on the increase and the people were put to much inconvenience. He requested that Thiruvancode might be transferred to Eraniel as of old or at least to Kalkulam.

Dewan's reply.—Noted.

41. The need for a Magistrate's Court at Kazhakuttam.

Mr. M. K. Govinda Pillai, B.A. & B.L. (Member, Trivandrum taluk) said that Kazhakuttam was situated between Trivandrum and Attingal. It was 10 miles from Trivandrum and 11 miles from Attingal. A reference to the map would show that it was in the centre of the taluk. The Taluk First Class Magistrate's Court was now held at one end of it. The taluk really lay on the north. Now that there was a Police station at Kazhakuttam, much difficulty was experienced in charging cases from that station. Even for a day's remand, the person arrested had to be brought to a distance of 10 miles. The result of it was that, in many cases, the Police would not make any arrests effectively. Formerly, there was a Magistrate's Court at Kazhakuttam; that was in the Police Amin's time. There were now Magistrates' Courts at Neyyattinkara, Nedumangad, Attingal, and Warkalay, at a distance of 10 miles of each other. As the Taluk Magistrate was also the First Tahsildar, it might be difficult, owing to his many urgent and onerous duties, to transfer his head-quarters to Kazhakuttam. But in view to obviate the inconveniences pointed out, he requested that a Magistrate's Court might be established at Kazhakuttam.

Dewan's reply.—Noted.

42. The desirability of ruling that certain officers should not be allowed to remain in one taluk for more than two years and the necessity for investing the Shertallai Tahsildar with First Class powers.

Mr. Devan Krishnan Karthavu (Member, Shertallai taluk) said that the present practice of keeping the Tahsildar, Munsiff, Police Inspector and such other officers at any place for any number of years had resulted in much hardship to the people. By long stay at any place they became intimately acquainted with the wealthy and influential people of the locality, and it naturally led to so many evils. The Member therefore prayed that it be ruled that such officers should not be kept at any place for more than two years. He further represented that, as the result of their complaints, they were given a Tahsildar with first class powers, but owing to the recent transfer of that officer, they were again forced to fall back on their old complaint. The Member requested that, if the Government were not prepared to appoint a Stationary First Class Magistrate for Shertallai, the local Tahsildar should always be one invested with first class powers.

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43. Tea thefts.

Dewan's reply.—A Tahsildar will be appointed for the Shertallai taluk with first class powers.

Mr. H. C. Westaway (Member, the Central Travancore and the Mundakayam Planters' Associations) said that thefts of tea from the factories were of common occurrence. In the case of rubber, there was a Regulation to prevent thefts of the stuff. He then related one instance of theft of tea and said that such thefts could be prevented if a system of license be introduced. Every merchant or trader who sold tea should be asked to take out a license before doing so. Unless some such thing were done, there would not be sufficient protection under the ordinary provisions of the criminal law, especially because tea was now coming into favor and was being largely sold in all parts of the country.

Dewan's reply.—Noted. The advantage in the case of rubber is that, unlike tea, it cannot be used locally.

44. The desirability of retaining the Pudukkada Police Out-post.

Mr. K. Raman Tampi (Member, Vilavancode taluk) said that the places within the jurisdiction of the Pudukkada sub-station were more populous and contained comparatively more rich people than the surrounding places. It would be evident from an examination of the register of the station that convicts and K. D's. were more abundant there. The major portion of the cases filed in the Vilavancode Magistrate's Court was from Pudukkada. Of the three sub-stations in the vicinity, *viz.*, Pudukkada, Kaliyikkavila and Arumana, Pudukkada alone was ordered to be abolished, even though the Government recognised its importance by appointing five constables for the sub-station whereas only three were allowed to each of the other two. Near Pudukkada, a class of Pariahs, notorious for their dacoity, were living, and to keep them under some check, the station was necessary. There was a Magistrate's Court at the place. That was superseded by a Police Station, and if even that was taken away from the place, there would be no public safety. He therefore requested that a station be re-established there, and if that was not possible at once, that a few village watchmen be provided for the place.

Dewan's reply.—The District Magistrate will be asked to report on the matter.

(3) CIVIL JUSTICE.

45. Certain irregularities in the Civil Courts and suggestions for remedying them.

Mr. Narayanar Janardanan (Member, Nominated) said that the Travancore Civil Procedure Code required modifications in several respects and suggested that it be re-enacted on the lines of the British Indian Act V of 1908. He then referred to some of the inconveniences to the people owing to the irregularities in the Courts and submitted proposals for remedying them.

(1) In several civil suits, the first summonses were not personally served and substituted service became the usual practice. The result was that several suits were decided *ex parte*, and when execution proceedings were initiated, the cases were re-taken on the file under Section 103 of the Code. The loss and inconvenience to the plaintiff were very great. He suggested that the summonses should be sent in a closed cover